



United States Department of the Interior
OFFICE OF THE SOLICITOR
WASHINGTON, D.C. 20240

IN REPLY REFER TO:
SOL-2019-00071

April 24, 2019

Via Email: 68321-72521823@requests.muckrock.com

Jimmy Tobias
MuckRock News
DEPT MR 68321
411A Highland Ave
Somerville, MA 02144-2516

Dear Mr. Tobias,

On January 30, 2019, the U.S. Department of the Interior, Office of the Solicitor, received your Freedom of Information Act (FOIA) request. In your request, you specifically ask for:

“Any written or electronic communications, including email attachments and text messages, between Daniel Jorjani and any agent, employee or representative of Nossaman LLP and/or its client, the Energy and Wildlife Action Coalition. This request seeks documents produced between June 1, 2017 and the date this request is processed.”

In processing your request for this release, the Office of the Solicitor found five (5) pages of responsive records. Upon review, four (4) pages are being released in full; and one page is being released in part. The page released in part was redacted pursuant to Exemption 6 personal privacy interests. Please find the documents enclosed.

Personnel and Medical Files

Exemption 6 allows an agency to withhold “personnel and medical files and similar files the disclosure of which would constitute a clearly unwarranted invasion of personal privacy.” 5 U.S.C. § 552(b)(6).

The phrase “similar files” covers any agency records containing information about a particular individual that can be identified as applying to that individual. To determine whether releasing records containing information about a particular individual would constitute a clearly unwarranted invasion of personal privacy, we are required to balance the privacy interest that would be affected by disclosure against any public interest in the information.

Under the FOIA, the only relevant public interest to consider under the exemption is the extent to which the information sought would shed light on an agency's performance of its statutory duties or otherwise let citizens 'know what their government is up to. The burden is on the requester to establish that disclosure would serve the public interest. When the privacy interest at stake and the public interest in disclosure have been determined, the two competing interests must be weighed against one another to determine which is the greater result of disclosure: the harm to personal privacy or the benefit to the public. The purposes for which the request for information is made do not impact this balancing test, as a release of information requested under the FOIA constitutes a release to the general public.

The information withheld under Exemption 6 consists of personal information, a mobile phone number, and we have determined that the individual to whom this information pertains has a substantial privacy interest in withholding it.

Maria Lurie, Attorney-Advisor, Office of the Solicitor was consulted in reaching this decision. Lance Purvis, FOIA Officer, Office of the Solicitor, is responsible for making this decision. You may contact the FOIA Officer at sol.foia@sol.doi.gov for further assistance and to discuss any aspect of your request.

This concludes the Office of the Solicitor's response to your request. The fee incurred in responding to your request is less than \$50 and is not being charged in accordance with 43 CFR 2.16(b)(2).

Sincerely,



Lance Purvis
Office of the Solicitor FOIA Officer